

SENATE BILL NO. 471

INTRODUCED BY K. TOOLE

A BILL FOR AN ACT ENTITLED: "AN ACT RESTRICTING THE USE OF PUBLIC FUNDS, TAX CREDITS, AND TAX DEDUCTIONS FOR A COAL OR NATURAL GAS FACILITY UNLESS THE NET GENERATING LOAD OF THAT FACILITY IS DEDICATED TO IN-STATE USE FOR CUSTOMERS WITH AN INDIVIDUAL LOAD REQUIREMENT OF LESS THAN 1,000 KILOWATTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Restriction of public funds, tax credits, and tax deductions for coal and natural gas facilities. (1) The legislature may not:

(a) appropriate money that is used to finance or build a coal or natural gas electric generation facility unless the net generating load of that facility is dedicated to in-state use at cost-based prices for customers with an individual load requirement of less than 1,000 kilowatts; or

(b) provide for tax credits or tax deductions for a coal or natural gas electric generation facility unless the net generating load of that facility is dedicated to in-state use at cost-based prices for customers with an individual load requirement of less than 1,000 kilowatts.

(2) An agency of state government may not:

(a) expend any appropriated money that is used to finance or build a coal or natural gas electric generation facility unless the net generating load of that facility is dedicated to in-state use at cost-based prices for customers with an individual load requirement of less than 1,000 kilowatts;

(b) loan money to build a coal or natural gas electric generation facility unless the net generating load of that facility is dedicated to in-state use at cost-based prices for customers with an individual load requirement of less than 1,000 kilowatts;

(c) finance a coal or natural gas electric generation facility unless the net generating load of that facility is dedicated to in-state use at cost-based prices for customers with an individual load requirement of less than 1,000 kilowatts; or

(d) sell bonds to finance a coal or natural gas electric generation facility unless the net generating

1 load of that facility is dedicated to in-state use at cost-based prices for customers with an individual load
2 requirement of less than 1,000 kilowatts.

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4 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
5 integral part of Title 17, chapter 8, part 1, and the provisions of Title 17, chapter 8, part 1, apply to
6 [section 1].

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8 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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